



## LOWELL PUBLIC SCHOOLS

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Joel D. Boyd, Ed.D.  
Superintendent of Schools

### Memorandum

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To: Members of the Policy Subcommittee  
Gerry Nutter, Chairperson  
Jackie Doherty, Member  
Connie Martin, Member  
Latifah Phillips, Administrator Representative

From: Dr. Joel D. Boyd, Superintendent of Schools  
Date: September 17, 2019  
Ref: Meeting Notice

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The Chair of the Policy Subcommittee has requested that a meeting be held.

**Date: Thursday, September 19, 2019**  
**Place: City Hall – Council Chamber**  
**Time: 5:00 PM**

#### **Agenda**

The Purpose of this meeting is to review the following:

- Homeless Students Enrollment Policy Revision
- Opportunities for Children in Foster Care Policy
- Strategic Planning Options

xc: City Clerk  
Dr. Joel Boyd, Superintendent  
Gerry Nutter, Chairperson  
Latifah Phillips, Adm. Representative  
Jackie Doherty, Member  
Connie Martin, Member  
Mary Sheehan, Recorder  
Matt Nelson, LTC

**File: JFABD - HOMELESS EDUCATION POLICY AND PROCEDURES**

**McKinney-Vento Homeless Education Assistance Act**

The goal of the McKinney-Vento Homeless Education Assistance Act is to ensure that **students in preschool through grade 12 identified as a homeless child or unaccompanied youth residing in the Lowell Public School District (hereinafter "District")** has equal access to the same free, appropriate public education programs and services within the District that allow them to meet the same challenging state academic standards to which all students are held.

**Rights of Students Eligible for McKinney-Vento Provisions**

Homeless students and unaccompanied youth shall not be required to attend a separate school or program for homeless students and shall not be stigmatized by school personnel.

~~The district will work with homeless students and their families to provide stability in school attendance and other services in accordance with the McKinney-Vento Homeless Education Assistance Act.~~

Homeless students in Preschool – Grade 12 will be provided district services for which they are eligible, including:

- Extracurricular and summer programming
- Immediate enrollment even if they are unable to provide all documentation that is typically required to enroll
- Attend their school of origin (SOO) and any designated receiving school  
Receiving schools may include regional vocational schools.
- Enrollment and transportation through the end of the year in which a student is permanently housed.
- Free meals
- Access to Title I, Special Education, English Language programming if needed

~~Head Start and comparable preschool programs, Title I, special education, English language education programs, vocational and technical education programs and school nutrition programs.~~

The Lowell Public Schools' Homeless Education Policy addresses the following key components of the McKinney-Vento Homeless Education Assistance Act.

### **Definition of Homeless Children and Youth**

The Massachusetts Department of Elementary and Secondary Education adopted Section 725(2) of the McKinney-Vento Homeless Education Assistance Act regarding the definition of homeless children and youth which states:

*~~Individuals who lack a fixed, regular, and adequate nighttime residence or have a primary nighttime residence in a supervised, publicly or privately, operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.~~*

This definition includes:

- ~~• children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;~~
- ~~• children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;~~
- ~~• children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;~~
- ~~• migratory children (as such term is defined in Section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless because they are living in circumstances described above; and~~
- ~~• unaccompanied youth is a youth who is not in the physical custody of a parent or guardian.~~



**Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) defines *homeless* as follows:**

The term "homeless children and youths":

(A) Means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) Includes--

(i) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;\*

(ii) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));

(iii) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) Migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

\*Per Title IX, Part A of the Every Student Succeeds Act, "awaiting foster care placement" was removed from the definition of homeless on December 10, 2016; the only exception to his removal is that "covered states" have until December 10, 2017 to remove "awaiting foster care placement" from their definition of homeless.

**~~Designation of a Homeless Education Liaison~~**



~~The Lowell Public Schools will designate a staff person whose role will be in part to ensure that the rights of homeless students enroll in school and that they receive eligible educational services.~~

### **Homeless Liaison or Designee**

The District will designate a McKinney-Vento homeless liaison. The homeless liaison or designee shall ensure that:

- Homeless students are voluntarily identified by school personnel and through coordination with other entities and agencies.
- Homeless students enroll in and have a full and equal opportunity to succeed in schools in the district.
- Homeless families/students receive educational services for which they are eligible and referrals to other appropriate services.
- The parent/guardian of homeless students and any unaccompanied homeless youth are informed of the educational and related opportunities available to them and are provided with meaningful opportunities to participate in the education of the student/youth.
- Public notice of the educational rights of homeless students is disseminated in such public places as schools, meal sites, shelters and other locations frequented by low-income families.
- There is compliance with all federal and state policies and procedures and mediates enrollment disputes.
- The parent/guardian of homeless students or youth and unaccompanied youth are informed of all transportation services, including transportation to the school of origin.
- Ensures the coordination of services between the District and other homeless family service providers.
- Assistance is provided to students who do not have immunizations or immunization medical records to obtain them.
- Students are not segregated on the basis of their status as homeless.

- Programs for homeless students are coordinated with other federal and local programs.
- There is support for academic success, including credit accrual and transition to higher education.

### **Enrollment**

The Lowell Public Schools shall immediately enroll homeless students even if they do not have the documents usually required for enrollment, (i.e., school records, medical records or proof of residency). The Homeless Liaison will assist families if needed in obtaining required records.

The term “enroll” or “enrolled” are defined to mean attending school and participating fully in school activities.

### **Best Interest**

Homeless parents have the right to decide, ~~along with the school,~~ whether it is feasible or in the best interest of their child to attend the school of origin which would allow the child to stay in the same school he/she attended before becoming homeless **and any designated receiving school,** or transfer to ~~the a school nearest the shelter or other temporary housing~~ **located in the district in which they are temporarily housed.**

In the case of unaccompanied youth, the Homeless Liaison or designee will assist in enrollment decisions.

### **Disputes**

A student must be allowed to attend the school whose district is challenging the student's right to attend until the Commissioner of Education or the Commissioner's designee makes a final decision regarding the dispute. The challenging school district must continue to provide transportation and other school services to the student until the dispute is resolved.

The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The Lowell Public Schools' Homeless Liaison will carry out dispute resolution as provided by state guidelines.

### **Nutrition Programs**

The determination of eligibility for free meal benefits will be made available to homeless students without delay. School staff may accept documentation that students are homeless from the Homeless Education Liaison or the director of the homeless shelter where the students reside.

### **Transportation**

Homeless students are entitled to transportation at the request of the parent or guardian (or in the case of an accompanied youth, the liaison) to their school of origin or the school where they are enrolled. The student has the right to receive transportation to their school of origin until the end of the school year in which they are housed.

Students that were enrolled in Lowell prior to becoming homeless and are temporarily housed in a different school zone have the right to transportation to and from their school of origin.

~~The Lowell Public Schools will provide transportation services to homeless children and youth that are comparable to those received by other students.~~

At minimum, all homeless students that are housed within the City of Lowell, Lowell Public Schools will be provided transportation services that are comparable to those received by other students.

### **Title I Services**

Homeless students have the right to access the education services needed to ensure that they have an equal opportunity to meet the same academic standards as other students.

Adopted by School Committee - 2/3/10



## **File: JFABD - HOMELESS EDUCATION POLICY AND PROCEDURES**

### **McKinney-Vento Homeless Education Assistance Act**

The goal of the McKinney-Vento Homeless Education Assistance Act is to ensure that students in preschool through grade 12 identified as a homeless child or unaccompanied youth residing in the Lowell Public School District (hereinafter "District") has equal access to the same free, appropriate public education programs and services within the District that allow them to meet the same challenging state academic standards to which all students are held.

#### **Rights of Students Eligible for McKinney-Vento Provisions**

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Receiving schools may include regional vocational schools.
- Enrollment and transportation through the end of the year in which a student is permanently housed.
- Free meals
- Access to Title I, Special Education, English Language programming if needed

The Lowell Public Schools' Homeless Education Policy addresses the following key components of the McKinney-Vento Homeless Education Assistance Act.

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(ii) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));

(iii) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) Migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

\*Per Title IX, Part A of the Every Student Succeeds Act, "awaiting foster care placement" was removed from the definition of homeless on December 10, 2016; the only exception to his removal is that "covered states" have until December 10, 2017 to remove "awaiting foster care placement" from their definition of homeless.

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- Homeless families/students receive educational services for which they are eligible and referrals to other appropriate services.
- The parent/guardian of homeless students and any unaccompanied homeless youth are informed of the educational and related opportunities available to them and are provided with meaningful opportunities to participate in the education of the student/youth.
- Public notice of the educational rights of homeless students is disseminated in such public places as schools, meal sites, shelters and other locations frequented by low-income families.
- There is compliance with all federal and state policies and procedures and mediates enrollment disputes.
- The parent/guardian of homeless students or youth and unaccompanied youth are informed of all transportation services, including transportation to the school of origin.
- Ensures the coordination of services between the District and other homeless family service providers.
- Assistance is provided to students who do not have immunizations or immunization medical records to obtain them.
- Students are not segregated on the basis of their status as homeless.
- Programs for homeless students are coordinated with other federal and local programs.
- There is support for academic success, including credit accrual and transition to higher education.

### **Enrollment**

The Lowell Public Schools shall immediately enroll homeless students even if they do not have the documents usually required for enrollment, (i.e., school records, medical records or proof of residency). The Homeless Liaison will assist families if needed in obtaining required records.



The term “enroll” or “enrolled” are defined to mean attending school and participating fully in school activities.

### **Best Interest**

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In the case of unaccompanied youth, the Homeless Liaison or designee will assist in enrollment decisions.

### **Disputes**

A student must be allowed to attend the school whose district is challenging the student's right to attend until the Commissioner of Education or the Commissioner's designee makes a final decision regarding the dispute. The challenging school district must continue to provide transportation and other school services to the student until the dispute is resolved.

The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The Lowell Public Schools' Homeless Liaison will carry out dispute resolution as provided by state guidelines.

### **Nutrition Programs**

The determination of eligibility for free meal benefits will be made available to homeless students without delay. School staff may accept documentation that students are homeless from the Homeless Education Liaison or the director of the homeless shelter where the students reside.

### **Transportation**

Homeless students are entitled to transportation at the request of the parent or guardian (or in the case of an accompanied youth, the liaison) to their school of origin or the school where they are enrolled. The student has the right to receive transportation to their school of origin until the end of the school year in which they are housed.

Students that were enrolled in Lowell prior to becoming homeless and are temporarily housed in a different school zone have the right to transportation to and from their school of origin.

At minimum, all homeless students that are housed within the City of Lowell, Lowell Public Schools will be provided transportation services that are comparable to those received by other students.

#### **Title I Services**

Homeless students have the right to access the education services needed to ensure that they have an equal opportunity to meet the same academic standards as other students.

Adopted by School Committee -

## **File: JFABF- EDUCATIONAL OPPORTUNITIES OF CHILDREN IN FOSTER CARE**

The Lowell Public Schools District (hereinafter "District") shall collaborate with the Department of Children and Families and the Department of Elementary and Secondary Education to ensure the educational stability of children in foster care. Foster care refers to 24-hour substitute care for children placed away from their parents and guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placement in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. To the extent required under applicable law, a child in foster care under this policy also includes children who an appropriate child welfare agency indicates are awaiting a foster care placement.

Children in foster care in preschool – grade 12 shall have equal access to the same free, appropriate public education as provided to other children in the District. They shall be provided the services and have access to the programs and activities that are offered to other children attending District schools, including educational services for which the children meet eligibility criteria. This includes but is not limited to special education, Title I programming, programs and services for English Language Learners, talented and gifted programming, career and technical education programs, and school nutrition programs.

### **Foster Care Point of Contact**

The District will designate at least one Foster Care Point of Contact who will have primary administrative level oversight of the District's services for children who are in foster care. He/she, or a qualified designee, shall be responsible for (1) providing any required assurances to applicable state and federal agencies that the District is complying with applicable state and federal requirements related to ensuring the educational stability of children in foster care; and (2) reasonably monitoring compliance with such assurances.

### **School Enrollment**

The presumption is that a student will remain in the school of origin (i.e., the school in which the child is enrolled or the last school in which the child was enrolled at the time of placement into out-of-home care); a student should only change schools if remaining in the school of origin is not in the child's best interest, as determined collaboratively by the District and the child welfare agency or if the student completes the final grade level available in the school of origin.

### **Transportation**

The District will ensure that all federal and state laws governing transportation of students in foster care placements are appropriately implemented.

Adoption Date:



Legal References:

Every Student Succeeds Act (ESSA)

*Massachusetts Department of Elementary and Secondary Education Administrative Assistance Advisory  
SPED 2018-3*

Massachusetts Department of Elementary and Secondary Education and Massachusetts Department of  
Children and Families Educational Stability for Students in Foster Care, January 16, 2018

Family Education Right and Privacy Act

DRAFT